

603 KAR 5:230. The extended weight coal or coal by-products haul road system and associated bridge weight limits.

RELATES TO: KRS 177.9771, 189.230

STATUTORY AUTHORITY: KRS 177.9771(1), (2), (9),(10), 189.230(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 177.9771(10) authorizes the Secretary of the Transportation Cabinet to promulgate administrative regulations necessary to administer the provisions of KRS 177.9771, 177.9772, 177.979, and 189.230. KRS 177.9771(2) requires the Secretary of the Transportation Cabinet to certify those public highways that meet certain criteria as the extended weight coal or coal by-products haul road system. KRS 177.9771(1) requires that roads that are currently, or have been in the past, state-maintained toll roads always be included on the extended weight coal or coal by-products haul road system. KRS 189.230(2) authorizes the Department of Highways to prescribe a gross vehicle weight limit for a bridge lower than a limit prescribed in KRS 177.9771 on a bridge that may be damaged or destroyed to the point of catastrophic failure if gross vehicle weights exceed certain limits. KRS 177.9771(9) requires the Transportation Cabinet Secretary to meet with certain local governing bodies and consider the concerns of those bodies before adding to or deleting from the extended weight coal or coal by-products haul road system. This administrative regulation establishes requirements for the extended weight coal or coal by-products haul road system and associated bridge weight limits.

Section 1. Definitions. (1) "AASHTO" means the American Association of State Highway and Transportation Officials.

(2) "Catastrophic failure" means a failure that is marked by sudden or unpredictable extreme damage.

(3) "CO" means county.

(4) "Coal by-product" means fly ash, bottom ash, wet bottom boiler slag, scrubber sludge, burned coal waste (red dog), coal slag, or coal cinders.

(5) "CR" means a public highway, road, or street not maintained by the Kentucky Department of Highways.

(6) "FROM" means the beginning milepoint and terminus of a road segment on the extended weight coal or coal by-product haul road system.

(7) "I" means an interstate and defense highway maintained by the Kentucky Department of Highways.

(8) "KY" means a state numbered highway maintained by the Kentucky Department of Highways.

(9) "LN" means line.

(10) "Local governing body" means the fiscal court of a county, the city council or commission of a city of the first through fourth classes, or the council of an urban county government.

(11) "P" means parallel bridge.

(12) "PKWY" means parkway.

(13) "TO" means the ending milepoint and terminus of a road segment on the extended weight coal or coal by-product haul road system.

(14) "TY I" means a single unit truck consisting of two (2) single axles.

(15) "TY II" means a single unit truck consisting of one (1) steering axle and two (2) axles in tandem arrangement.

(16) "TY III" means a single unit truck consisting of one (1) steering axle and three (3) axles in tridem arrangement.

(17) "TY IV" means a tractor-semitrailer combination with five (5) or more axles.

(18) "US" means a United States numbered highway maintained by the Kentucky Department

of Highways.

Section 2. Evaluation of Bridges. (1) The department shall determine which bridges on the extended weight coal or coal by-products haul road system may be damaged or destroyed to the point of catastrophic failure by a vehicle operating at the weight authorized by KRS 177.9771 by using The Manual for Bridge Evaluation.

(2) The load factor method of analysis shall be used if a bridge is known to have been designed by this method.

(3) If the allowable stress method of analysis is used, the maximum allowable stress in steel members shall not exceed seventy-five (75) percent of the yield strength of the steel.

(4) If neither the load factor nor allowable stress method of analysis can be used, the Department of Highways shall conduct an on-site inspection to determine if the bridge shows appreciable signs of deterioration or distress or otherwise poses a significant hazard to the traveling public.

Section 3. Limiting Weight on Bridges. The department shall use the guidelines in The Manual for Bridge Evaluation to set a weight limit for a bridge deemed at risk of catastrophic failure pursuant to KRS 189.230(2).

Section 4. Dimension Limits on the Extended Weight Coal Haul Road System. A motor vehicle displaying a valid extended weight coal haul decal or cooperative license plate issued pursuant to KRS 177.9771 and being operated on a road segment that is part of the Extended Weight Coal or Coal By-product Haul Road System (EWCHRS) shall not exceed the dimension limits established in 603 KAR 5:070, Sections 3 and 4.

Section 5. The Extended Weight Coal and Coal By-product Highway System and Limited Bridges.

(1)(a) The EWCHRS shall be:

1. Updated annually by official order of the secretary and amended as necessary by official order; and

2. Accessible on the Transportation Cabinet Web site at <http://transportation.ky.gov/planning/maps/coalhaul/coalhaul.asp>.

(b) The cabinet shall provide a copy of the list in paper form upon request.

(c) A paper copy may be viewed at a Department of Highways district office or may be viewed, copied, or purchased for ten (10) cents per page from the Division of Maintenance, Third Floor, Transportation Cabinet Building, 200 Mero Street, Frankfort, Kentucky 40622. The telephone number for the Division of Maintenance is (502) 564-4556, and the hours of operation are 8 a.m. until 4:30 p.m., Eastern Time, Monday through Friday.

(2) The bridges identified on the Transportation Cabinet Web site and by official order of the secretary shall:

(a) Be those bridges that have been determined by the department to be at risk of damage or destruction to the point of catastrophic failure; and

(b) Have a weight limit established.

Section 6. Restricted Bridge Use. A person shall not operate, or knowingly cause to be operated, a vehicle on a bridge listed on the Web site and in the official order if the vehicle's gross weight exceeds the weight limit established for that bridge.

Section 7. Bridge Posted Weight Limits. In accordance with KRS 189.230(3), the Department of Highways shall post the gross vehicle weight limits for each bridge included on the EWCHRS.

Section 8. Additional Bridge Restrictions. A person shall not operate, or knowingly cause to be operated, a vehicle on a bridge on the extended weight coal or coal by-products haul road system if the vehicle's gross weight exceeds the limit established by a notice posted pursuant to KRS 189.230(3).

Section 9. (1) A resolution of a local governing body making a recommendation to the secretary, pursuant to KRS 177.9771(9), shall be submitted to Secretary of Transportation, Transportation Cabinet Building, 200 Mero Street, Frankfort, Kentucky 40622.

(2) The resolution shall set forth:

- (a) A specific description of the road or road segment under consideration; and
- (b) 1. A specific description of the inherent and definite hazardous condition; or
2. The factors that may create a special condition.

Section 10. Incorporation by Reference. (1) "The Manual for Bridge Evaluation", 2008 edition, is incorporated by reference.

(2)(a) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Transportation Cabinet, Department of Highways, Division of Maintenance, Third Floor, Transportation Cabinet Building, 200 Mero Street, Frankfort, Kentucky 40622, Monday through Friday, 8 a.m. until 4:30 p.m., eastern time.

(b) A copy of "The Manual for Bridge Evaluation", 2008 edition, may also be obtained, subject to applicable copyright law, from the American Association of State Highway and Transportation Officials, 444 North Capitol Street, N.W., Suite 225, Washington, D.C. 20001. (13 Ky.R. 1359; Am. 1564; eff. 3-6-87; 14 Ky.R. 174; eff. 8-5-87; 945; 1241; eff. 1-4-88; 2206; eff. 8-5-88; 15 Ky.R. 1507; 1802; 2020; eff. 3-7-89; 16 Ky.R. 448; eff. 11-4-89; 1659; eff. 4-12-90; 17 Ky.R. 1153; 1739; eff. 12-3-90; 2838; 3175; 3415; eff. 6-4-91; 19 Ky.R. 2684; 20 Ky.R. 313; eff. 9-3-93; 21 Ky.R. 2198; 2986; eff. 5-2-95; 22 Ky.R. 1110; eff. 1-22-96; 23 Ky.R. 1419; 2171; 2462; eff. 11-14-96; 24 Ky.R. 1137; 1527; 1675; eff. 1-22-98; 29 Ky.R. 1694, 2281; eff. 2-27-03; 36 Ky.R. 464; 11-6-2009.)